

AN ACT

ENTITLED, An Act to clarify, repeal, update, and make form and style revisions to certain statutes related to the Department of Game, Fish and Parks.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 41-1-2 be amended to read as follows:

41-1-2. No person may acquire any property in, or subject to dominion or control, any game bird, game animal, or game fish, or any part thereof. Game birds, game animals, and game fish are the property of the state, except as provided by § 41-1-3.

Section 2. That § 41-1-3 be amended to read as follows:

41-1-3. Any person who kills, catches, or takes any game bird, game animal, or game fish in the manner provided by law or rules promulgated by the Game, Fish and Parks Commission, for the purposes authorized by law, and during the periods when their killing is not prohibited, may use the game bird, game animal, or game fish during the time, in the manner, and for the purposes expressly authorized by law.

Section 3. That § 41-1-5 be amended to read as follows:

41-1-5. Any person who kills, catches, takes, ships, possesses, or controls any game bird, game animal, or game fish, or any part of any such bird, animal, or fish, at any time or in any manner prohibited by law, thereby forfeits any right to use or possess the bird, animal, or fish, or any part thereof. The state is entitled to the sole possession of the bird, animal, or fish.

Section 4. That § 41-2-1.2 be amended to read as follows:

41-2-1.2. The Game, Fish and Parks Commission is administered under the direction and supervision of the Department of Game, Fish and Parks and the secretary of game, fish and parks. However, the commission retains the quasi-judicial, quasi-legislative, advisory, other nonadministrative and special budgetary functions (as defined in § 1-32-1) otherwise vested in it and

shall exercise those functions independently of the secretary of game, fish and parks.

Section 5. That § 41-2-2 be amended to read as follows:

41-2-2. Not more than four of the game, fish and parks commissioners may be members of the same political party, and, at the time of their appointment, at least four shall be farmers actually residing on a farm, engaged in agriculture, deriving at least two-thirds of their gross annual incomes from crop or livestock production or both, and interested in wildlife conservation. At the time of their appointment three commissioners shall reside west of the Missouri River and five shall reside east of the Missouri River.

Section 6. That § 41-2-3 be amended to read as follows:

41-2-3. The term of office of the game, fish and parks commissioners is four years. The Governor shall preserve:

- (1) An arrangement of length of terms whereby two members have terms expiring each year;
- (2) A rotation of terms between the republican and democratic parties.

The expiration of terms occurs on the tenth day of January of each year, and all required appointments shall be made by the first day of March. The appointments shall fill all vacancies on the commission arising either by expiration of term or from any other cause. No person may serve on the commission for more than eight years. However, if the person's first appointment is for two years the person may be reappointed thereafter for no more than two additional four-year terms.

Section 7. That § 41-2-4 be amended to read as follows:

41-2-4. Each game, fish and parks commissioner shall qualify by taking the oath of office prescribed by S.D. Const., Art. XXI, § 3. The commissioner shall give bond to the state in the penal sum of five thousand dollars conditioned upon the faithful discharge of the duties of the office, and shall file the bond with the secretary of state.

Section 8. That § 41-2-5 be amended to read as follows:

41-2-5. The Governor may remove a game, fish and parks commissioner for inefficiency, neglect of duty, or misconduct in office after giving the commissioner a copy of the charges against the commissioner and opportunity to be heard publicly in person or by counsel in his or her own defense, upon not less than ten days' notice. If the commissioner is removed, the Governor shall file in the Office of the Secretary of State a complete statement of all charges made against the commissioner and his or her findings on the charges, together with a complete record of the proceedings.

Section 9. That § 41-2-8 be amended to read as follows:

41-2-8. The Game, Fish and Parks Commission shall hold its annual meeting at the capital to elect a chair and vice chair for the ensuing year, and to transact such other business as may properly come before the meeting. Additional meetings may be held as determined by the commission.

Section 10. That § 41-2-11 be amended to read as follows:

41-2-11. The Department of Game, Fish and Parks may employ an adequate force of conservation officers to enforce the provisions of this title. Conservation officers shall meet requirements as to education and training of law enforcement officers provided pursuant to chapter 23-3. The provisions of chapter 3-6A apply to conservation officers so employed.

Section 11. That § 41-2-19 be amended to read as follows:

41-2-19. The Department of Game, Fish and Parks may, on behalf and in the name of the state, acquire public or private property by gift, grant, devise, purchase, lease, or condemnation proceedings, and may manage, control, and improve the property for the purpose of exercising the powers granted in this title.

Section 12. That § 41-2-20 be amended to read as follows:

41-2-20. Any personal property or buildings or fixtures on real estate, acquired pursuant to § 41-2-19, may be sold by the Game, Fish and Parks Commission if the commission determines it to be obsolete or no longer useful. The property shall be sold according to procedures prescribed by the

commissioner of the Bureau of Administration.

Section 13. That § 41-2-21 be amended to read as follows:

41-2-21. The Department of Game, Fish and Parks may acquire by any means or methods as specified in § 41-2-19 any public or private real property especially desirable for purposes of establishing public shooting areas or for the purposes of water conservation or recreation and may develop and improve the property for such purposes.

Section 14. That § 41-2-23 be amended to read as follows:

41-2-23. The Department of Game, Fish and Parks shall, if directed by the Game, Fish and Parks Commission, expend funds for the improvement of wildlife habitat, access to hunting, and access to fishing or recreation areas on any land, public or private, within the state, notwithstanding the provisions of § 5-14-10. Any land so improved is open to reasonable use by the public.

Section 15. That § 41-2-24 be amended to read as follows:

41-2-24. The Department of Game, Fish and Parks shall acquire by gift, purchase, lease, or condemnation and shall improve and manage land areas suitable for park purposes in various portions of the state so that a comprehensive state park system may be established. The department may levy and collect service fees for the use of the facilities in the state parks, upon the conditions as provided in this title. The department may issue its negotiable bonds for such purposes, and in such amounts, forms and upon such conditions as provided in this title. The department may cooperate with the United States, with any agency of the United States, and with any other department or public corporation of this state in such park activities.

Section 16. That § 41-2-25 be amended to read as follows:

41-2-25. The Department of Game, Fish and Parks shall make capital improvements on all leased lands owned by the United States government and the State of South Dakota that the Game, Fish and Parks Commission deems necessary or proper for the extension, improvement, or development of

state parks and recreation areas. However, the capital expenditures for such capital improvements on leased lands, other than those owned by the United States government or State of South Dakota, may not exceed the sum of one thousand five hundred dollars for any leased area upon which twenty-five years or less remain on the lease. No capital expenditures may be made on leased lands for the purposes of this title that lie within the boundaries of the Black Hills Fire Protection District. The authority provided in this section is in addition to the limits prescribed under § 5-14-10.

Section 17. That § 41-2-26 be amended to read as follows:

41-2-26. The Department of Game, Fish and Parks may grant easements, leases, or permits on property that it owns or controls, for public utilities; for agricultural purposes; for electrical power or telephone lines; for towers for radio, television, or radar; for cabin sites; for concessions; and for the development, operation, or management of facilities to service the needs of the public.

Section 18. That § 41-2-27 be amended to read as follows:

41-2-27. The Department of Game, Fish and Parks shall publicize the game and fish, scenic, recreational, park, health, natural, and other resources of this state in such manner as the department deems most effective to attract tourists and others to this state. The department shall cooperate with any other agency, department, or public corporation of this state for such purpose.

Section 19. That § 41-2-29.1 be amended to read as follows:

41-2-29.1. The Department of Game, Fish and Parks shall sell real property owned by the state and held by the department if such real property is no longer needed for game, fish, or parks purposes. Such sale may be made only by the following procedure:

- (1) At the full value established by a qualified appraiser employed by the department;
- (2) For cash at public auction;
- (3) Five days after the last of at least two publications of notice of the sale in at least three daily newspapers of the state. The publications shall disclose all details relative to the

sale;

- (4) Money received shall be deposited with the state treasurer and credited to the game, fish and parks fund;
- (5) Conveyance shall be made in the name of the State of South Dakota acting by and through the Department of Game, Fish and Parks and executed in the manner provided by § 5-2-11.

Section 20. That § 41-2-29.2 be amended to read as follows:

41-2-29.2. The Department of Game, Fish and Parks, in addition to or as an alternative to the requirements and methods specified in § 41-2-29.1, may trade or exchange real property owned by the state and held by the department if the real property is no longer needed for game, fish or parks purposes or if real property more suitable to department purposes may be obtained by an exchange. The exchange may be made only for other real property of equal value as determined by a qualified appraiser employed by the department. Conveyance shall be made in the name of the State of South Dakota acting by and through the Department of Game, Fish and Parks and executed in the manner provided by § 5-2-11.

Section 21. That § 41-2-30 be amended to read as follows:

41-2-30. The Department of Game, Fish and Parks shall engage in predatory animal control activities and cooperate with the United States or any agency of the United States, with other states, or with any other department, agency, or public corporation of this state in the execution of such control activities.

Section 22. That § 41-2-31 be amended to read as follows:

41-2-31. The Department of Game, Fish and Parks may accept, use, and expend any funds directed to it and provided by any agency of the United States government or provided by any other private or public sources.

Section 23. That § 41-2-35.1 be amended to read as follows:

41-2-35.1. Notwithstanding any other provisions of law, all funds received by the Department of Game, Fish and Parks shall be set forth in an informational budget as described in § 4-7-7.2 and be annually reviewed by the Legislature. Nothing in this section affects department control over expenditures of any portion of dedicated revenues received by the department.

Section 24. That § 41-2-36 be amended to read as follows:

41-2-36. The books and vouchers of the Department of Game, Fish and Parks are subject to examination by the Department of Legislative Audit at all times.

Section 25. That § 41-3-4.1 be amended to read as follows:

41-3-4.1. It is the policy of this state that the federal government should not acquire land by condemnation for wildlife mitigation, except for land owned by direct beneficiaries of the project of which the wildlife mitigation is a part. The Legislature, state agencies, and the Governor may not support funding or enter into any contractual agreement for construction with the federal government for any project that does not meet the provisions of this section.

This section does not apply to any mitigation acquisition resulting from construction of the Missouri River reservoirs.

Section 26. That § 41-3-5 be amended to read as follows:

41-3-5. The State of South Dakota hereby assents to the provisions of the act of Congress entitled, "An Act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of federal multiple-purpose water resource projects, and for other purposes," approved July 9, 1965 (Public Law 89-72, 89th Congress). The Department of Game, Fish and Parks shall perform such acts in cooperation with the United States government and all other legal entities as may be necessary to the establishment and management of fish, wildlife, and recreation areas as defined in the act of Congress in compliance with the act and rules and regulations promulgated by the secretary

of the interior under the act.

Section 27. That § 41-3-9 be amended to read as follows:

41-3-9. The Game, Fish and Parks Commission may grant permission under its seal to any accredited representative of any incorporated society of natural history to collect for scientific purposes only, nests, eggs, birds, animals, or fish protected by this title. Such specimens may not be sold or transferred.

Section 28. That § 41-3-10 be amended to read as follows:

41-3-10. The Department of Game, Fish and Parks has charge of the construction, control, and management of all fish hatcheries, including the control of grounds owned or leased for such purposes.

Section 29. That § 41-3-11 be amended to read as follows:

41-3-11. The State of South Dakota hereby assents to the provisions of the act of Congress entitled, "An Act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950 (Public Law 681, 81st Congress). The Department of Game, Fish and Parks shall perform such acts as may be necessary to the conduct and establishment of cooperative fish restoration projects, as defined in the act of Congress, in compliance with the act and rules and regulations promulgated by the secretary of the interior under the act. No funds accruing to the State of South Dakota from license fees paid by fishermen may be diverted for any other purpose than the administration of the Department of Game, Fish and Parks and for the protection, propagation, preservation, and investigation of fish and game.

Section 30. That § 41-3-12 be amended to read as follows:

41-3-12. The Department of Game, Fish and Parks has charge of the receiving from the United States Fish and Wildlife Service or other persons, and the gathering, purchase, and distribution to the waters of this state of fish, fish spawn, and fry.

Section 31. That § 41-3-13 be amended to read as follows:

41-3-13. The Department of Game, Fish and Parks has charge of the taking of fish from public waters of the state for the propagation and stocking of other waters in the state and the transferring of game animals or game birds from one section of the state to another for stocking purposes.

Section 32. That § 41-3-14 be amended to read as follows:

41-3-14. It is a Class 2 misdemeanor for any person to obstruct any appointee or employee of the Department of Game, Fish and Parks who is engaged in assigned duties of gathering fish spawn, collecting or killing fish, or any other activities undertaken to carry out the department's duties and responsibilities of managing the fisheries resources of the state. It is a Class 2 misdemeanor for any person to place in public waters any logs or other debris or objects if such action may impede the accomplishment of assigned duties by departmental appointees or employees. It is a Class 2 misdemeanor for any person to move, handle, or disturb any net or other device used by department appointees or employees for the purpose of carrying out assigned duties.

Section 33. That § 41-4-1 be amended to read as follows:

41-4-1. The Department of Game, Fish and Parks may acquire or condemn private property if the property is necessary to carry out the purposes and intent of this title. If the Game, Fish and Parks Commission deems it necessary to take or condemn any private property for such purposes, the commission shall by proper resolution declare such necessity, stating the purpose and extent of the action. The commission shall communicate the resolution to the attorney general, and thereupon the proceedings to take or condemn the property shall be conducted as provided by the laws of this state in the name of the state as plaintiff.

Section 34. That § 41-4-3 be amended to read as follows:

41-4-3. Three dollars received from the sale of each nonresident small game license shall be placed in a fund to be known as the land acquisition and development fund. The moneys from this

fund shall be used for the following purposes:

- (1) To acquire by purchase or lease real property to be used primarily for game production.
Such real property shall remain open for public hunting;
- (2) To pay the salary and any necessary expenses of any employee of the Department of Game, Fish and Parks engaged in the acquisition of such real property;
- (3) For improving and maintaining game production areas; and
- (4) For the payment of taxes on public shooting areas.

Not more than twenty-five percent of the land acquisition and development fund, after the payment of taxes, may be used for the administration of the fund or for improving and maintaining game production areas.

Section 35. That § 41-4-6 be amended to read as follows:

41-4-6. The Department of Game, Fish and Parks shall publish notice of timber sales in three official newspapers in the county or vicinity in which the timber is located, once each week for at least two consecutive weeks before the sales date. The notice shall set forth the approximate boundaries of the timber sale, the estimated amount of timber to be sold, the time when bids may be filed with the department, and when such bids will be considered if sold on sealed bids, or, if the timber is to be sold by auction, the time and place where the public auction will be held.

Section 36. That § 41-4-7 be amended to read as follows:

41-4-7. No sale may be made under §§ 41-4-4 to 41-4-6, inclusive, unless the sum offered is at least ninety percent of the appraised value of the timber as fixed by the state forester, and all sales shall be made to the highest responsible bidder. The Department of Game, Fish and Parks may reject any bids and readvertise the sale if no bid is satisfactory, or if the department believes any agreement has been entered into by the bidders to prevent competition.

Section 37. That § 41-4-8 be amended to read as follows:

41-4-8. All state-owned lands, known as public shooting areas, acquired under the provisions of §§ 41-2-19 to 41-2-21, inclusive, or which may hereafter be so acquired, and all state-owned game production lands or areas and controlled hunting areas, are subject to taxation by the local taxing districts within which the lands are severally located for county, township, and school purposes only.

The lands shall be assessed by the directors of equalization in the same manner as other lands are assessed for taxation. The assessments shall be equalized and the lands entered upon the tax lists for taxation in the same manner as other lands are equalized and entered, but in extending the levy of taxes against the lands, the taxing officer may extend only the levies made by the local taxing districts for county, township, and school purposes.

Section 38. That § 41-4-9 be amended to read as follows:

41-4-9. If the United States of America condemns and takes by eminent domain any realty owned by the State of South Dakota that is held and administered by the Department of Game, Fish and Parks and if the department has given leases for the property to private parties before the condemnation and taking, the department may reimburse the private parties whose leasehold interest has been taken to fully compensate the private parties for the loss of their leasehold interest. The department may pay out of such funds paid by the United States of America such amounts to the private parties as are established by the appraised value of the leasehold interest by the United States of America, or any agency of the United States, and are agreed as acceptable by the private parties. Upon receipt of payment, the private parties shall give a release to the State of South Dakota, releasing the state from all further claims for payment for damages to the leasehold interests.

Section 39. That § 41-4-10 be amended to read as follows:

41-4-10. The Department of Game, Fish and Parks may acquire by gift or lease, from willing landowners, the right to maintain unused, terminated, or abandoned section-line rights-of-way as game production areas. This section does not apply to section lines where roads have never been

developed. No such interest acquired by the department may prevent a roadway from being reopened to public travel.

Every political subdivision of the state east of the Missouri River having highways or roadways under its jurisdiction may notify the Department of Game, Fish and Parks of any of its developed rights-of-way that are not being maintained as public highways or roads and shall cooperate with the department in acquiring and maintaining such rights-of-way for use as game production areas.

Section 40. That § 41-5-5 be amended to read as follows:

41-5-5. The Department of Game, Fish and Parks shall post good and sufficient notices at the borders of all preserves and refuges of the state, and upon all the public highways leading into or across the preserve or refuge, giving notice to the public that the property is a preserve or refuge of the state and that hunting is forbidden in the preserve or refuge.

Section 41. That § 41-5-6 be amended to read as follows:

41-5-6. It is a Class 2 misdemeanor for any person to cut, remove, or in any way tamper with any fence surrounding any preserve or refuge or the gates leading into the preserve or refuge, or to leave open or fail to close any such gate if opened.

Section 42. That § 41-5-8 be amended to read as follows:

41-5-8. Any person crossing the state game preserve or any game or bird refuge upon any public highway may carry a firearm if the firearm is enclosed in a case and not removed from the case while in the preserve or refuge. Any bona fide resident within any game preserve or refuge in the state may carry firearms for the purpose of killing nongame and predatory animals or birds on the resident's own premises, and the resident may kill nongame and predatory animals or birds on the resident's own premises within any game preserve or refuge.

Section 43. That § 41-5-9 be amended to read as follows:

41-5-9. All conservation officers and members of the state forest service shall enforce the

provisions of §§ 41-5-6 to 41-5-8, inclusive.

Section 44. That § 41-6-4 be amended to read as follows:

41-6-4. A license to take fur-bearing animals is not required of a resident of this state less than sixteen years old to exercise the rights and privileges of the holder of such a license.

Section 45. That § 41-6-5 be amended to read as follows:

41-6-5. Raccoon, skunk, fox, and badger may be killed by a property owner, lessee, or the property owner's or lessee's agent at any time without a license if the animal is doing damage around buildings or causing injury to livestock or poultry.

Section 46. That § 41-6-6 be amended to read as follows:

41-6-6. A license to fish, to the extent and in the manner permitted by a resident fishing license, is not required of any person less than sixteen years old who is a resident of this state.

Section 47. That § 41-6-26 be amended to read as follows:

41-6-26. The Game, Fish and Parks Commission may revoke any fur dealer's license if the commission determines that the holder of the license has violated any provision of §§ 41-14-22 to 41-14-24, inclusive, relating to fur dealers or has purchased any skin out of season. No person whose license is so revoked may receive another license within two years from the date of the revocation.

Section 48. That § 41-6-41 be amended to read as follows:

41-6-41. No license is required for the privilege of purchasing and catching fish pursuant to § 41-6-40.

Section 49. That § 41-6-53 be amended to read as follows:

41-6-53. A nonresident or visitor's license may be granted under §§ 41-6-16 to 41-6-45.1, inclusive, only to a person whose residence does not qualify the person for a resident license. However, a nonresident under sixteen years of age is not required to purchase a license to fish if the nonresident is fishing with a parent or guardian who has a license and if all fish taken by the

nonresident under sixteen years of age are counted as a part of the string limit of the parent or guardian with whom he or she is fishing.

Section 50. That § 41-6-77 be amended to read as follows:

41-6-77. Except as otherwise provided, it is a Class 2 misdemeanor for a nonresident to catch or attempt to catch, take, kill, or possess any fish, frogs, or turtles without a nonresident fishing license, a temporary fishing license, or a nonresident family fishing license or in violation of the conditions of the license or the rules of the Game, Fish and Parks Commission.

Section 51. That § 41-8-5 be amended to read as follows:

41-8-5. The Department of Game, Fish and Parks may not authorize the taking of more than forty mountain goats within one year.

Section 52. That § 41-8-7 be amended to read as follows:

41-8-7. Each act of pursuing, hunting, or killing any big game animal without a license is a distinct and separate offense; and every act of pursuing, hunting, or killing of any big game animal during the closed season is a distinct and separate offense.

Section 53. That § 41-8-23 be amended to read as follows:

41-8-23. Mink may be killed at any time if doing damage around buildings but all such mink killed are the property of the state, if taken during the closed season. If muskrat or beaver are injuring irrigation ditches, dams, embankments, or public highways, or causing any other damage to property, the secretary of game, fish and parks may issue a permit to trap or kill such animals at any time. The Game, Fish and Parks Commission may authorize the killing or trapping of beaver upon public lands and game preserves at any time the commission deems necessary.

Section 54. That § 41-8-24 be amended to read as follows:

41-8-24. No person may hunt any mink or muskrat with the aid of any dog, or dig, disturb, or molest any mink den or beaver house for the purpose of capturing any of these animals. No person

may use poison, gas, or smokers of any kind to kill, take, or capture mink, muskrats, or beavers. No person may shoot or spear muskrats at any time except under permit as provided in § 41-8-23. Any violation of this section is a Class 2 misdemeanor.

Section 55. That § 41-8-29 be amended to read as follows:

41-8-29. Any person who is found guilty as specified in § 41-8-28 who holds a South Dakota trapping license shall upon conviction deliver the license to the judge pronouncing sentence. The judge shall forward the license to the Department of Game, Fish and Parks. The department shall cancel the license, and no trapping license may thereafter be issued to the guilty person for a period of two years from the date of the conviction.

Section 56. That § 41-8-39.2 be amended to read as follows:

41-8-39.2. Notwithstanding the provisions of § 41-8-39, the Department of Game, Fish and Parks may contract with aerial hunters to control foxes and coyotes as permitted under P. L. 92-159 or § 40-36-9 if requested by landowners or tenants.

Section 57. That § 41-9-1 be amended to read as follows:

41-9-1. Except as provided in § 41-9-2, no person may fish, hunt, or trap upon any private land without permission from the owner or lessee of the land. A violation of this section is a Class 2 misdemeanor and is subject to § 41-9-8.

Section 58. That § 41-10-9 be amended to read as follows:

41-10-9. Game that may be hunted under this chapter includes mallard ducks, pheasants, quail, partridges, turkey, and such other species of game as the Game, Fish and Parks Commission may add in rules promulgated pursuant to chapter 1-26. The commission may exclude mallard ducks from the list of permitted species for any period of time and without advance notice if necessary to protect the species.

Section 59. That § 41-10-10 be amended to read as follows:

41-10-10. All game released on a shooting preserve shall be marked as prescribed by the Game, Fish and Parks Commission. All game not marked as prescribed is deemed wild game.

Section 60. That § 41-12-2 be amended to read as follows:

41-12-2. It is a Class 2 misdemeanor for any person to catch, kill, or take any fish in any manner from any private water used for the propagation of fish except by the consent of the proprietor of the private water.

Section 61. That § 41-12-6 be amended to read as follows:

41-12-6. It is a Class 2 misdemeanor for any person to fish with more than the maximum number of hooks or lines that may be established in rules promulgated pursuant to chapter 1-26 by the Game, Fish and Parks Commission.

Section 62. That § 41-12-9 be amended to read as follows:

41-12-9. It is a Class 1 misdemeanor for any person to possess or control, or to place, keep, or maintain in any of the public waters of this state any trammel or gill net, seine, or other similar device for capturing fish. It is a Class 1 misdemeanor for any person to take in any of the public waters of this state for any purpose whatever, any fish at any time by the erection of any weir, dam, or artificial obstruction or by the use of any trammel or gill net, trap, or similar device, or to place, keep, or maintain the same in any of the public waters of this state. The Department of Game, Fish and Parks may authorize private landowners to use specified devices to take minnows or control undesirable or overpopulated species of fish in their private waters.

Section 63. That § 41-12-14 be amended to read as follows:

41-12-14. Appointees and employees of the Department of Game, Fish and Parks are exempted from the provisions of this chapter and chapter 41-13 when carrying out assigned duties and responsibilities of managing the fisheries resources in the public waters of the state.

Section 64. That § 41-13-2 be amended to read as follows:

41-13-2. It is a Class 2 misdemeanor to place chemicals in the public waters of this state containing game fish for the purpose of controlling plants without written permission of the secretary of game, fish and parks. The Game, Fish and Parks Commission may promulgate rules pursuant to chapter 1-26 to safeguard game fish and other animals from the effects of such chemicals.

Section 65. That § 41-13-3.1 be amended to read as follows:

41-13-3.1. It is a Class 2 misdemeanor for any person to import live fishes or viable eggs of the family salmonidae into the State of South Dakota unless such importation complies with rules promulgated pursuant to chapter 1-26 by the Department of Game, Fish and Parks.

Section 66. That § 41-13-5 be amended to read as follows:

41-13-5. The Department of Game, Fish and Parks may remove and dispose of rough fish and bullheads from the public waters of the state by the use of seines, nets, chemicals, or by other means or devices.

Section 67. That § 41-13-7 be amended to read as follows:

41-13-7. The Department of Game, Fish and Parks may contract for the removal of rough fish and bullheads from any of the public waters of the state, if fishing under the contract is done under the personal supervision of a person designated by the secretary of game, fish and parks. Any person carrying on such fishing operations under such a contract shall furnish bond in an amount determined by the department, conditioned upon the person's compliance with all of the terms of the contract.

Section 68. That § 41-13-10 be amended to read as follows:

41-13-10. On the waters of the Missouri River and its impoundments, game fish taken incidentally in operations designed to control rough fish and bullheads, if the condition of the game fish is such that they cannot reasonably be salvaged, may be removed and disposed of in the same manner prescribed for rough fish and bullheads.

Section 69. That § 41-14-1 be amended to read as follows:

41-14-1. It is a Class 2 misdemeanor for any person to possess or control any bird, animal, or fish, or any part of any bird, animal, or fish, that has been unlawfully taken, caught, or killed in this or any other state or foreign country, or that has been unlawfully transported into this state.

It is a Class 1 misdemeanor for any person to possess or control any big game animal, or any part of any big game animal, that has been unlawfully taken, caught, or killed in any other state or foreign country, or that has been unlawfully transported into this state.

Section 70. That § 41-14-2 be amended to read as follows:

41-14-2. The possession or control by any person of any bird, animal, or fish, or any part of any bird, animal, or fish, the killing of which is at any time prohibited, is prima facie evidence that the bird, animal, or fish was the property of this state at the time it was caught, taken, or killed, and that it was caught, taken, or killed in this state.

Section 71. That § 41-14-3 be amended to read as follows:

41-14-3. The possession or control by any person of any bird, animal, or fish at any time when the killing, taking, or possession of the bird, animal, or fish is unlawful is prima facie evidence that the taking or killing occurred during the closed season, unless the person in possession of the bird, animal, or fish shows that at the time it was caught, taken, or killed, it was lawfully caught, taken, or killed either within or without the state, and that the person was lawfully in possession of the bird, animal, or fish.

Section 72. That § 41-14-10 be amended to read as follows:

41-14-10. It is a Class 2 misdemeanor for an employee of any common carrier to carry any game bird or part of any game bird on a common carrier either as baggage or otherwise while engaged in the course of his or her employment.

Section 73. That § 41-14-14 be amended to read as follows:

41-14-14. No big game animal taken in this state may be transported unless the locking seal and

tag bearing the license number of the owner and the year of its issue are securely locked and attached, as required by rules promulgated pursuant to chapter 1-26 by the Department of Game, Fish and Parks. The seal shall be securely locked and the tag attached at the time the big game animal is brought out to a road or into any hunting camp, dwelling, farmyard, or other place of abode of any kind, or before it is placed upon or in a vehicle of any kind. The seal and tag shall be furnished by the department with each big game license. A violation of this section is a Class 1 misdemeanor.

Section 74. That § 41-14-15 be amended to read as follows:

41-14-15. Any person to whom there has been issued a license to hunt big game may carry, ship, or transport any big game animal or part of any big game animal lawfully possessed by the person upon the conditions set forth in §§ 41-14-16 and 41-14-17.

Section 75. That § 41-14-17 be amended to read as follows:

41-14-17. If a part of any big game animal is transported by a common carrier to a location within or outside of this state, the licensee shall procure the permit provided by § 41-6-22. One of the triplicates of the permit shall be mailed to the secretary of game, fish and parks by the person issuing the permit, one delivered to the licensee, and the other retained by the person issuing the permit. The permit delivered to the licensee shall be attached to the part of the big game animal to be transported, and if the permit is attached as provided in this section, a common carrier may receive the part of big game animal for shipment.

Section 76. That § 41-14-19 be amended to read as follows:

41-14-19. The possession or control by any person of the raw skin of any protected fur-bearing animal, or any part of any protected fur-bearing animal, is prima facie evidence that the animal was the property of this state at the time it was caught, taken, or killed and that the animal was caught, taken, or killed in this state.

Section 77. That § 41-14-20 be amended to read as follows:

41-14-20. The possession or control by any person of the raw skin of any protected fur-bearing animal, or any part of any protected fur-bearing animal, at any time when the killing, taking, or possession of such an animal is unlawful is prima facie evidence that the taking and killing occurred during the closed season, unless the person in possession of the animal shows that the animal was lawfully caught, taken, or killed and that the person is lawfully in possession of the raw skin.

Section 78. That § 41-14-22 be amended to read as follows:

41-14-22. Any licensed fur dealer may hold and store raw furs during closed season, and the agent of any common carrier may accept such furs for shipment at any time upon evidence that the consignor is duly licensed under the provisions of this title.

Section 79. That § 41-14-29 be amended to read as follows:

41-14-29. Rough fish legally taken, acquired, and possessed may be sold or transported or both, within or without the state unless otherwise provide by law.

Section 80. That § 41-14-32 be amended to read as follows:

41-14-32. No person may take, catch, kill, or possess; possess with intent to sell; sell, offer, or expose for sale; ship by common carrier, convey, or cause to be conveyed; or possess with intent to ship or convey to any point, either within or without this state, any bird, animal, or fish, or any part of any bird, animal, or fish, in violation of any state law or administrative rule. No common carrier or agent of a common carrier may aid or abet any person in shipping any such bird, animal, or fish, nor possess any such bird, animal, or fish with intent to ship or convey to any point either within or without this state contrary to law.

A violation of this section pertaining to any bird, animal, or fish other than a big game animal is a Class 2 misdemeanor for each bird, animal, or fish, or any part of any such bird, animal, or fish taken, caught, killed, sold, offered for sale, exposed for sale, possessed, possessed with intent to sell, shipped by common carrier, or transported to any point within or without this state in violation of

law. A violation of this section pertaining to any big game animal is a Class 1 misdemeanor for each big game animal, or any part of any such big game animal, taken, caught, killed, sold, offered for sale, exposed for sale, possessed, possessed with intent to sell, shipped by common carrier, or transported to any point within or without this state in violation of law.

The total imprisonment for violations of this section which occur at the same time may not exceed one year.

Section 81. That § 41-14-34 be amended to read as follows:

41-14-34. It is a Class 1 misdemeanor for any person to barter, trade, or sell baitfish within South Dakota, or to export baitfish from South Dakota, unless the person is licensed by the Game, Fish and Parks Department in accordance with the provisions of this chapter.

Section 82. That § 41-14-35 be amended to read as follows:

41-14-35. Except for lawful sport fishermen who may trap, seine, and possess up to twelve dozen baitfish for personal use, no person may seine or take baitfish from the waters of this state unless the person is licensed by the Department of Game, Fish and Parks in accordance with the provisions of this chapter. A violation of this section is a Class 1 misdemeanor.

Section 83. That § 41-15-2 be amended to read as follows:

41-15-2. For the purpose of enforcing any of the laws under this title and the rules promulgated pursuant to this title, the courts of this state, and the conservation officers of this state, have jurisdiction over the entire boundary waters of the state, to the furthestmost shore line. Concurrent jurisdiction of the courts and administrative officers of the adjoining states of Minnesota, North Dakota, Montana, Wyoming, Iowa, and Nebraska over all boundary waters between such states and this state, and the whole of such boundary waters, is hereby recognized.

Section 84. That § 41-15-3 be amended to read as follows:

41-15-3. The state's attorney, sheriff, constables, and other peace officers shall enforce the game

and fish laws of the state.

Section 85. That § 41-15-6 be amended to read as follows:

41-15-6. Any person who possesses any game bird, animal, or fish shall, upon the request of any person authorized to enforce the game and fish laws of the state, permit the inspection and count of the birds, animals, or fish. Any motor vehicle, pickup camper, camper, or any conveyance attached thereto, may be stopped for such an inspection and count by any uniformed law enforcement officer.

Section 86. That § 41-15-7 be amended to read as follows:

41-15-7. Any person who refuses to permit the inspection and count of any game birds, animals, or fish in the person's possession or who interferes with or obstructs any officer attempting to make such an inspection or count is guilty of a Class 2 misdemeanor.

Section 87. That § 41-15-8 be amended to read as follows:

41-15-8. The secretary of game, fish and parks and conservation officers may inspect hotels, restaurants, cold storage houses or plants, and icehouses commonly used for like purposes for the purpose of determining whether game or fish are being kept in violation of law.

Section 88. That § 41-15-14 be amended to read as follows:

41-15-14. The Department of Game, Fish and Parks has charge of the seizure and disposition of any game bird, game animal, and fish, taken, killed, transported, or possessed contrary to law, and of any dog, gun, seine, net, boat, light, or other instrumentality unlawfully used or held with intent to use in pursuing, taking, attempting to take, concealing, or disposing of any such game bird, game animal, or fish.

Section 89. That § 41-15-15 be amended to read as follows:

41-15-15. Any law enforcement officer may seize and hold, for the purpose of being used as evidence at any trial, any hunting and fishing equipment used in violation of the game and fish laws. Such equipment shall be returned to the defendant under the direction of the court or magistrate

when its purpose as evidence has been fulfilled. Any property left in the possession of the court or any law enforcement officer for a period of one year after its purpose as evidence has been fulfilled is deemed abandoned.

Section 90. That § 41-15-17 be amended to read as follows:

41-15-17. Any court having jurisdiction may, on complaint showing probable cause for believing that any bird, animal, fish, or skin of fur-bearing animals or any part of any such bird, animal, fish, or skin, caught, taken, killed, possessed, or controlled by any person, or shipped or transported by any person, contrary to law is concealed or illegally kept in any building, motor vehicle, or receptacle, issue a search warrant and cause a search to be made in any such place for any such bird, animal, fish, or skin, or any part of any such bird, animal, fish, or skin. The court may cause any building, enclosure, or motor vehicle to be entered, and any compartment, chest, box, locker, crate, basket, package, or other receptacle to be opened and the contents examined.

Section 91. That § 41-15-18 be amended to read as follows:

41-15-18. Any bird, animal, fish, or the skin of any fur-bearing animal, or any part of any such bird, animal, fish, or skin, caught, killed, shipped, possessed, or controlled, contrary to any of the provisions of this title or any rules of the Game, Fish and Parks Commission, and any compartment, chest, box, locker, crate, basket, package, or other receptacle or contrivance in which any such bird, animal, fish, or skin is kept, concealed, or transported, unless otherwise expressly excepted by law, are deemed contraband. The secretary of game, fish and parks or any conservation officer or law enforcement officer shall seize and take possession of the contraband pending action by a court of competent jurisdiction.

Section 92. That § 41-15-18.1 be amended to read as follows:

41-15-18.1. Any gun, implement, or vehicle unlawfully used in the killing, taking, or transporting of elk or buffalo one hour after sunset to one hour before sunrise during open season or any time

during closed season on such animals is deemed contraband. The secretary of game, fish and parks or any conservation officer or law enforcement officer shall seize and take possession of the contraband pending action and determination by a court of competent jurisdiction.

Section 93. That § 41-15-20 be amended to read as follows:

41-15-20. The secretary of game, fish and parks may sell at the highest market price obtainable any fur, fish, game animal, game bird, hunting equipment, fishing equipment, and other contraband that is abandoned or is deemed contraband as provided in §§ 41-15-15 to 41-15-19, inclusive. The proceeds of the sales shall be turned into the state treasury and credited to the Department of Game, Fish and Parks fund. A record of the sales, including the name of the purchaser and the purchase price paid, shall be kept by the secretary. The secretary shall, before sale, tag the items to be sold in a manner to be determined by the secretary.

Section 94. That § 41-15-21 be amended to read as follows:

41-15-21. No fish, game, game animal, game bird, or any part of any such fish, animal, or bird sold pursuant to the terms of § 41-15-20 may be resold, offered for sale, held for the purpose of sale, or otherwise disposed of to any other person by the purchaser. The fish, animal, or bird may not be taken into possession by any person other than the purchaser.

Section 95. That § 41-16-13 be amended to read as follows:

41-16-13. No payment to any county pursuant to §§ 41-16-11 and 41-16-12 may exceed forty percent of the total income of the county, from all sources.

Section 96. That § 41-16-14 be amended to read as follows:

41-16-14. The state auditor shall annually, after the receipt of the funds referred to in §§ 41-16-11 and 41-16-12, determine the amount due each county and forward to the treasurer of each county entitled to receive payment a warrant for the county's proportion of the funds. One-half of the payment shall be used for the improvement of public roads and one-half for the public schools.

Section 97. That § 41-17-2 be amended to read as follows:

41-17-2. No state park may hereafter be designated or created except by the designation and creation as a state park by the Legislature.

Section 98. That § 41-17-4 be amended to read as follows:

41-17-4. The Department of Game, Fish and Parks may, with the approval of the Governor and commissioner of administration, purchase, construct, or otherwise acquire, or contract for the feasibility survey, construction, completion, equipping, or furnishing of any recreational or parks facility within any state park or state recreation area if the Game, Fish and Parks Commission deems the facility to be necessary and feasible.

Section 99. That § 41-17-5 be amended to read as follows:

41-17-5. To accomplish the provisions and purposes of § 41-17-4, the Department of Game, Fish and Parks may issue revenue bonds in such amounts as the Game, Fish and Parks Commission deems necessary. The bonds shall be authorized by resolution of the commission and approved by the Governor. The bonds may be at the option of the commission callable for payment before maturity; and the call provision, if any, shall be stated in the bond. The face amount of any bond authorized pursuant to this section may not exceed the sum of two million dollars. The bonds, subject to the provisions of the resolution or a subsequent resolution, may:

- (1) Be issued in one or more series;
- (2) Bear a date specified in the resolution;
- (3) Mature at a time specified in the resolution not exceeding twenty years from the date;
- (4) Be in a form and be executed in a manner specified in the resolution;
- (5) Be payable in a medium and at a place specified in the resolution;
- (6) Be subject to terms of redemption specified in the resolution; and
- (7) Contain terms, covenants, and conditions as specified in the resolution.

Section 100. That § 41-17-6 be amended to read as follows:

41-17-6. The Game, Fish and Parks Commission may pledge park license receipts and any revenues derived from the operation of any recreational facility constructed with income derived from the issuance of the bonds authorized pursuant to § 41-17-5 as security for any bonds issued under § 41-17-5. If any existing recreational facility is reconstructed, reequipped, refurnished, or otherwise improved with income derived from the issuance of revenue bonds, the value of the original facility and the value of the improvement shall be appraised and fixed. All revenue derived from the facility and the improvement shall be apportioned on the basis of the value of the original facility and the value of the improvement. Only that portion of the revenue representing the amount that the improvement bears to the whole may be pledged as security for any bonds issued under § 41-17-5.

Section 101. That § 41-17-9 be amended to read as follows:

41-17-9. No bond, indebtedness, or obligation incurred or created under the authority of this chapter constitutes a lien, charge, or liability against the State of South Dakota, nor against the Game, Fish and Parks Commission, nor against the property or funds of this state except to the extent of the income authorized in § 41-17-6 to be pledged.

Section 102. That § 41-17-10 be amended to read as follows:

41-17-10. The Department of Game, Fish and Parks may assist in maintaining schools within Custer County and may pay for such assistance out of any funds available. Payment of such funds by the department may not exceed, for each pupil who attends public school within the county and who is a resident of Custer State Park, the most recent annual average per pupil cost within the school district involved, as reported by the Department of Education, less all receipts accrued for school purposes within Custer State Park.

Section 103. That § 41-17-11 be amended to read as follows:

41-17-11. The Department of Game, Fish and Parks may enter into an agreement with the adjutant general of the South Dakota National Guard whereby a part of the Custer State Park may be used as a cantonment area for the national guard. Any such agreement shall be approved by the Governor and filed with the commissioner of school and public lands. The authority provided in this section includes entering into a long term lease agreement or permit for the construction and maintenance of a permanent cantonment area in Custer State Park.

Section 104. That § 41-17-13.3 be amended to read as follows:

41-17-13.3. Purchase of a park license does not exempt the buyer from payment for campground permits or service charges.

Section 105. That § 41-17-22.3 be repealed.

Section 106. That § 41-17-22.4 be amended to read as follows:

41-17-22.4. In any concessionaire lease of property located in Custer State Park, the Game, Fish and Parks Commission shall require in the lease that if the concessionaire wants to sell, transfer, convey, or assign the concessionaire's interest in the leasehold, the commission shall publish and provide for a prospectus advertising the leasehold and intent to transfer. The commission shall then select from any interested persons a successor concessionaire that the commission deems most qualified.

If the concessionaire and successor agree upon terms and conditions of the transfer, which shall be agreed to in writing within a time period to be set by the commission, but no longer than six months, the commission may approve and consent to the assignment.

If there is no agreement in writing within the specified period of time, the commission, if the concessionaire still wants to sell, transfer, convey, or assign its interest in the leasehold, shall provide for another prospectus as provided in this section and follow the same procedures set forth in this section until a successor concessionaire and present concessionaire agree upon terms and conditions

of a transfer but for no longer period of time than the duration of the leasehold.

Section 107. That § 41-17-23 be amended to read as follows:

41-17-23. It is a Class 2 misdemeanor for any person owning, having charge of, or possessing any horses, mules, cattle, goats, sheep, swine, or other domestic grazing animals, to cause or permit such animals to enter or graze upon any state park or game preserve within this state, except on permits issued by the Department of Game, Fish and Parks or other governing body.

Section 108. That § 41-18-4 be amended to read as follows:

41-18-4. Notice of a hearing pursuant to § 41-18-3 shall be given by the county auditor by publication in a legal newspaper published in such county once a week for at least two successive weeks before the hearing. The notice shall specify the time and place of the hearing and shall identify the property affected. If the property cannot be described as a government subdivision, the property shall be described in the petition and in the notice in general terms with reasonable certainty.

Section 109. That § 41-18-5 be amended to read as follows:

41-18-5. If the county commissioners are satisfied that it is in the best interest of the public that property described in a petition under § 41-18-3, or any part of the property, is to be acquired for the purpose of a public park, the commission shall cause an accurate survey to be made by a registered land surveyor and a plat to be made and filed in the office of the register of deeds. The commission shall proceed to acquire the property, if it is not necessary to borrow the money for acquiring the property, as provided in §§ 41-18-11 to 41-18-15, inclusive.

Section 110. That § 41-18-10 be amended to read as follows:

41-18-10. If bonds of the county are issued for the purpose of acquiring or improving a public park and creating bodies of water in the park, the proceeds of the bonds shall be deposited with the county treasurer in a fund to be designated as a county park fund and shall be paid out only upon warrants of the county auditor on the fund issued under the orders of the board of county

commissioners.

Section 111. That § 41-18-11 be amended to read as follows:

41-18-11. The board of county commissioners may acquire and condemn private property within the county for the uses and purposes of public parks and bodies of water in the county if and to the extent that the property is deemed necessary for such purposes. The board may pay for all property acquired and all property damaged, and the expense of creating bodies of water on the property, out of any money in the county general fund within the limitations fixed in § 41-18-12.

Section 112. That § 41-18-12 be amended to read as follows:

41-18-12. Except as provided in § 41-18-13 the board of county commissioners, in acquiring the property for any one park or project and creating bodies of water in the park or project under the provisions of this chapter, may not expend a total amount exceeding one dollar per thousand dollars of taxable valuation on the taxable valuation of the property in the county for the preceding year.

Section 113. That § 41-18-13 be amended to read as follows:

41-18-13. If the county borrows money and issues bonds for the purpose of a park or project and creating bodies of water in the park or project, the expenditure is not limited to one dollar per thousand dollars of taxable valuation on the assessed valuation of the property within the county for the preceding year.

Section 114. That § 41-18-14 be amended to read as follows:

41-18-14. If an agreement is reached with the owner of the property or any portion of the property for a reasonable price for the property, the board of county commissioners shall pass a resolution for the purchase of the property or any portion of the property. The resolution shall contain a general description of the property, including the acreage and the price for which the property is to be purchased.

Section 115. That § 41-18-15 be amended to read as follows:

41-18-15. If the board of county commissioners deems it necessary to take, damage, or condemn any private property or any portion of the property for any of the purposes mentioned in § 41-18-11, the board shall by proper resolution declare the necessity of the taking or damaging, stating the purpose and extent of the taking or damaging.

Section 116. That § 41-18-16 be amended to read as follows:

41-18-16. If upon condemnation proceedings, a judgment is entered that will cause the limitation in § 41-18-12 to be exceeded on a particular park or project, or if the board of county commissioners deems the judgement excessive, the costs of the proceeding including a reasonable attorney's fee for the owner, to be fixed by the court, shall be taxed to and paid by the county and the proceedings shall be abated and the judgment canceled.

Section 117. That § 41-18-17 be amended to read as follows:

41-18-17. If it is determined advisable as provided in this chapter to construct or create any body of water within any county park, the board of county commissioners may acquire by the same method as provided in this chapter an amount or quantity of land surrounding or adjoining the body of water as the board deems advisable. The board may use the land for park purposes or sell the land or any portion of the land as provided in §§ 41-18-18 to 41-18-23, inclusive.

Section 118. That § 41-18-18 be amended to read as follows:

41-18-18. The board of county commissioners may grant easements upon or transfer title to any part of any property acquired pursuant to this chapter, suitable for the creation of a body of water, to the United States government or any branch or department of the United States government in consideration of the United States government furnishing at its own expense the necessary labor and materials or any part of such labor and materials in connection with the construction or creation of such a body of water within any county park.

Section 119. That § 41-18-19 be amended to read as follows:

41-18-19. If the board of county commissioners decides to sell any lots or tracts surrounding any such body of water or adjoining any portion of the body of water, the commissioners shall first cause the land to be surveyed and platted into lots and blocks and streets or drives. The board of county commissioners may place such restrictions as to the use of the lots or tracts as the board may deem advisable.

Section 120. That § 41-18-20 be amended to read as follows:

41-18-20. After a survey and platting pursuant to § 41-18-19, the board of county commissioners shall appoint three appraisers who shall appraise the lots and tracts. The proceeding for the appraisal of the lots and tracts shall be the same as provided for the appraisal of the estates of decedents, except that the appraisers shall be appointed by the board of county commissioners and the appraisal shall be filed with the county auditor of the county.

Section 121. That § 41-18-21 be amended to read as follows:

41-18-21. After the appraisers have, pursuant to § 41-18-20, fixed the valuation of each lot and tract, the county, through its board of county commissioners, may sell the lots and tracts or any portion of the lots and tracts for not less than the appraised value. No lot or tract may be sold by the board based on any appraisal made more than one year before the date of sale.

Section 122. That § 41-18-22 be amended to read as follows:

41-18-22. In the sale of lots and tracts pursuant to § 41-18-21, the board of county commissioners may designate the terms upon which the sales may be made and the rate of interest deferred payments shall bear. The board may make contracts for the sale and make conveyance if the purchaser has met the terms of the contract. However, the purchaser shall pay at least ten percentum of the sale price to the county at the time of the execution of the contract of sale, and the total purchase price, with interest on the purchase price, shall be paid within five years from the date of sale.

Section 123. That § 41-18-23 be amended to read as follows:

41-18-23. Any money received from the sale of lots and tracts pursuant to § 41-18-21 shall be deposited as provided in this section. If the county borrows money and issues its bonds for the creation of any county park or for creating bodies of water in the park, the money so received shall be deposited with the county treasurer in a fund known as a county park fund for the purpose of retiring the bonds upon their maturity and paying the interest on the bonds. Otherwise, the proceeds from the sale of the lots and tracts shall be deposited in the general fund.

Section 124. That § 41-18-25 be amended to read as follows:

41-18-25. No dance hall may be built within one mile of a county park unless by permission of the board of county commissioners.

Section 125. That § 41-19-1 be amended to read as follows:

41-19-1. The snowmobile trails fund established pursuant to § 32-5-9.2 is hereby appropriated for the administration of § 41-19-2. Money in the fund shall accumulate without reversion at the close of the fiscal year.

An Act to clarify, repeal, update, and make form and style revisions to certain statutes related to the Department of Game, Fish and Parks.

=====

I certify that the attached Act
originated in the

SENATE as Bill No. 1

Secretary of the Senate
=====

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 1
File No. _____
Chapter No. _____

=====

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State